

LAND USE PERMIT

CASE NO.: 2W0604-3-EB

LAWS/REGULATIONS INVOLVED:

APPLICANT: Raponda Landing Corp.

10 V.S.A., Chapter 151

ADDRESS: c/o R. Bruce Freeman

(Act 250)

Meth, Woehling & Freeman

50 Elmer Street

Maplewood, NJ 07090

The Vermont Environmental Board hereby issues Amended Land Use Permit **#2W0604-3-EB** pursuant to the authority vested in it by 10 V.S.A Chapter 151. This permit applies to the lands identified in Book 95, Page 13, of the Land Records of the Town of Wilmington, Vermont, as the subject of a deed to George Maloof and Bruce Freeman, the Permittees, as grantees. This permit amends the conditions of Land Use Permit Amendment **#2W0604-3**, which authorizes the Permittees to reconfigure the design of a deck approved in permit **#2W0604-2** with the addition of four risers leading from the dock to the deck. The project is located on Lake Raponda in Wilmington.

The Permittees, and their successors and assigns, are obligated by **this** permit to complete and maintain the project only as approved by the District **#2** Environmental Commission in accordance with the terms and conditions of Land Use Permit **#2W0604-3**, except as amended hereby; in accordance with the plans., exhibits, and testimony submitted by the **Permittees to the** Environmental Board; and in accordance with Findings of **Fact and** Conclusions of Law **#2W0604-3-EB**.

CONDITIONS

A . Conditions **#9**, 10 and 11 are added to Land Use Permit Amendment **#2W0604-3 to read:**

9. The Permittees shall remove the four steps which have been constructed on the lake-side of the deck which has been built near Lake Raponda. The Permittees shall construct wooden railing along the side of the deck facing the lake. This railing shall extend from **end-to-end** of the lake-side of the deck, and shall connect with, and be of materials, height, and design similar to, the railing which currently exists on the other three sides of the deck.
10. The Permittees shall install a planter box on the ground along the deck near Lake Raponda. The box shall be constructed along, and run the length of, the side of deck which faces the lake. The box shall contain evergreen shrubs which shall be at a height no less

than six inches below the level of the railing to be constructed on the lake-side of the deck. The number of shrubs shall be enough to cover at least 50 percent of the area bounded by the railing on the lake-side and the floor of the deck. Vines and flowers may be planted in the box. The box must be no more than 18 inches high. The Permittees shall be responsible for maintaining the health of the plantings in the box and, if the plantings die, shall submit a landscaping plan including further planting to the District #2 Environmental Commission for review as an application to amend this permit. The District #2 Environmental Commission retains jurisdiction to schedule hearings and issue permit conditions with regard to the compliance of this project with 10 V.S.A. § 6086(a)(S) (aesthetics).


11. The Permittees shall reduce the size of the stabilizing poles on the floating dock which is placed on Lake Raponda during times of the year when the lake is not frozen. The height of the poles shall be no more than two feet above the level of the dock. The poles shall be painted green or brown.

B. Condition #5 of Land Use Permit Amendment #2W0604-3 is altered to read:

5. All construction on this project must be completed by November 15, 1991.

Dated at Montpelier, Vermont, this 25th day of January, 1991.

ENVIRONMENTAL BOARD


Leonard U. Wilson, Acting Chair
Ferdinand Bongartz
Arthur Gibb
Samuel Lloyd
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